THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.18708 OF 1999

ORAL ORDER:

The petitioner herein claims to be the owner and possessor of the land to an extent of Ac.18.50 cents in R.S.No.31 part, 240 part, 251 part and 250/4 part of Ganapavaram village of Buttaigudem mandal. It is not in dispute that the said land forms part of scheduled area. On a report made by the Special Deputy Tahsildar, Tribal Welfare, K.R. Puram, eviction proceedings were initiated against the petitioner under the provisions of A.P. Scheduled Areas Land Transfer Regulation, 1959 as amended by Regulation 1 of 1970, but the same were disallowed by the 2nd respondent by order dated 29.4.1992, and the said order has become final.

While so, the staff of the 2nd respondent started interfering with the possession of the petitioner and he was not allowed to carry on cultivating operations on the land in question. Aggrieved by the said action of the respondents, this writ petition has been filed seeking a declaration that the action of the respondents in interfering with the possession of the petitioner in respect of the land in question as arbitrary and illegal.

This Court while directing *Rule* nisi, by order dated 6.9.1999, ordered that *status quo* obtaining, as on that date, shall be maintained. Though no counter affidavit has been filed on behalf of the respondent, the learned Government Pleader for Social Welfare, under instructions, stated that the allegation that the respondents have been interfering with the possession of the petitioner in respect of the land in question is not correct.

Having regard to the facts and circumstances of the case, no further enquiry is necessary in the writ petition.

Accordingly, the writ petition is disposed of making it clear that the respondents shall not interfere with the possession of the petitioner

in respect of the land in question without following due process of law.

No costs.

13th April, 2007. **(G. ROHINI).**

Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.18708 OF 1999

13th April, 2007.

Between:

Gadde Brahmanandarao. .. Petitioner.

And

The District Collector (T.W.),
West Godavari District, Eluru, and others. .. Respondents.